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UNCLAS SECTION 01 OF 02 BELGRADE 001343

STATE FOR TODD BUCHWALD (L) AND AMB WILLIAMSON (S/WCI)

SENSITIVE
SIPDIS

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SUBJECT: SERBIAN AUTHORITIES ARREST NINE SERBIAN-CITIZEN ALBANIANS
SUSPECTED OF KOSOVO WAR CRIMES

REF: BELGRADE 1059

Summary

¶1. (SBU) On December 26 in southern Serbia's Presevo Valley, authorities arrested nine Serbian-citizen Albanians on allegations of war crimes committed against Serbs in neighboring Kosovo in 1999.

Police are searching for an additional eight suspects while judicial proceedings have begun in Belgrade. Serbia's Albanians have protested the high profile way in which the arrests were carried out and the situation remains calm but tense. While the Government insists that the arrests were not politically motivated, the high-profile arrests certainly will factor into Serbia's case against Kosovo independence with the International Court of Justice (reftel). This case renews the urgency of preparing a convincing case for Kosovo's independence as Serbia attempts to win in the court of public opinion. End Summary.

Nine Ethnic Albanians Arrested

¶2. (U) In coordinated raids in Presevo Valley on December 26, Serbian special police anti-terrorist units and gendarmerie, acting on the orders of Serbia's War Crime Prosecutor, arrested nine Serbian-citizen Albanians accused of war crimes stemming from the 1999 Kosovo conflict, government and media sources report. Minister of Interior Ivica Dacic and Minister for Local Self Government Milan Markovic were on the scene in south Serbia overseeing the police action. The suspects were brought to Belgrade where they were questioned by an investigating judge of the War Crimes Chamber and placed in pre-trial detention for 30 days. The nine are accused of being former members of the Foreign Legion branch of the Kosovo Liberation Army (KLA) and of involvement in the kidnappings of 159 Serb civilians and the murder, torture and rape of at least 51 persons in the area of Gnjilane, Kosovo from June to October 1999.

Government: Operation Not Political

¶3. (SBU) In a December 26 meeting with Contact Group ambassadors (Quint plus Russia), Serbian Ministry for Foreign Affairs Political Director Borko Stefanovic said the action was not political, but rather a legal process. Stefanovic said the police action had been coordinated under the auspices of War Crimes Prosecutor Vladimir Vukcevic. According to media reports, Dacic called on Albanians in South Serbia to remain peaceful, insisting that the police actions were not directed against Albanians, but rather against alleged war criminals. "Serbia, naturally, participates in investigations of

war crimes in the territory of the former Yugoslavia. We think that the whole world should learn what kinds of crimes were committed against the people of former Yugoslavia, especially in Kosovo," Dacic told B92 media on December 27.

Vukcevic Describes Evidence

¶4. (SBU) In a December 29 meeting, Vukcevic told us that the investigation hinged on the cooperation of a local informant, now in witness protection, who had been a member of the KLA's "Gnjilane group" and who had provided explicit details about the war crimes carried out in 1999 as well as the present whereabouts of the perpetrators. After investigating 17 individuals for several months, the Prosecutor's office decided to act now because several of the suspects had come to Presevo for the New Year's holiday; Vukcevic also said that concern for the informant's safety was a factor in the timing. Nine had been apprehended and transferred to Belgrade; Serbia will seek Interpol warrants for the remaining eight individuals, four of whom are "well-known Kosovo Albanian criminals who are feared by the local population," according to Vukcevic.

¶5. (SBU) Reading to us from the criminal charges, Vukcevic detailed the crimes the group was alleged to have committed, including dismembering a Serbian woman by tying her arms and legs to cars, and torturing and killing several individuals in a basement and then chopping up their remains. Vukcevic told us that the defendants had already corroborated the details of the events in Gnjilane during questioning, but each had denied personal involvement. The informant had identified 52 victims from photo albums of missing persons, and prosecutors had already questioned an additional 15 potential witnesses who were tortured and released in Gnjilane,

BELGRADE 00001343 002 OF 002

according to Vukcevic.

¶6. (SBU) Photos of the defendants in KLA uniforms, heavy weaponry such as machine guns, and explosive materials were found in their houses during the raids, Vukcevic said, adding that anti-terrorism officials had begun the case but he had assumed jurisdiction when the war crimes allegations surfaced. Vukcevic also told us that Minister of Interior Dacic's decision to go to Presevo and personally announce the arrests came as a surprise, as Dacic has minimized the role of his Ministry in previous war crimes-related arrests such as Radovan Karadzic. Vukcevic told us that it was Dacic who decided to allow the press to film the defendants being led into custody in Belgrade, a step he did not agree with and which angered many Presevo Albanians. Missing persons' activist Natasa Kandic told us that such a public display of police power was unnecessary and evidence of political pressure to demonstrate that Albanians committed war crimes. She also confirmed that at least 80 Serbs were killed, 35 of whom remain missing, in Gnjilane, and expressed hope that the Serbian authorities had arrested the right people for the crimes.

Extensive Media Coverage in Serbia

¶7. (SBU) Serbian press has spared no ink in detailing the alleged gruesome details of the crimes, including the dismemberment, but also allegations that the accused killed their victims in as time-consuming a fashion as possible to drag out the suffering. (These are similar, if not identical, de-humanizing tactics used by the Milosevic-controlled media to justify Serbian aggression, not just in Kosovo, but also in Bosnia-Herzegovina and Croatia.)

South Serbia Peaceful but Tense

¶8. (SBU) Albanians in southern Serbia protested the arrests and the supposed harsh police tactics used in the operation. On December 26, the sole ethnic Albanian Member of Parliament Riza Halimi told us the situation was calm but said there were allegations of police

mistreatment during the arrests. On December 28, a crowd estimated by embassy sources at between 1,000 to 1,500 persons peacefully demonstrated in Presevo, calling for the release of the accused and condemning the alleged police brutality. Protesters carried Albanian flags and banners that read, "KLA warriors don't belong in jail," "We want freedom in our areas," "Stop with searches," and "NATO in Presevo Valley." OSCE Mission staff based in South Serbia told us on December 29 that local leaders demanded the release of the suspects by January 5 or daily protests would begin.

Comment

¶9. (SBU) War Crimes Prosecutor Vukcevic has proven himself in the past to be a serious professional who prosecutes with vigor, regardless of ethnicity, and with great risk to his own personal safety. Nevertheless the timing and drama of the arrest belie assertions that the Presevo operation was apolitical. As Dacic's comments and actions show, the government is intent upon shining a spotlight on these alleged crimes as further evidence that Serbs were the primary victims in Kosovo in the 1990's. Embassy once more renews its request that the U.S. argument for the legality of Kosovo's independence at the ICJ spare no effort in detailing Serbian actions, from revocation of Kosovo autonomy in 1988, repression of Kosovo's Albanians throughout the 1990's, through Serbian atrocities leading up to the NATO bombing. By the lurid nature of these arrests and the surrounding publicity, Serbia is quite clearly building its case as the victim. End Comment.

BRUSH